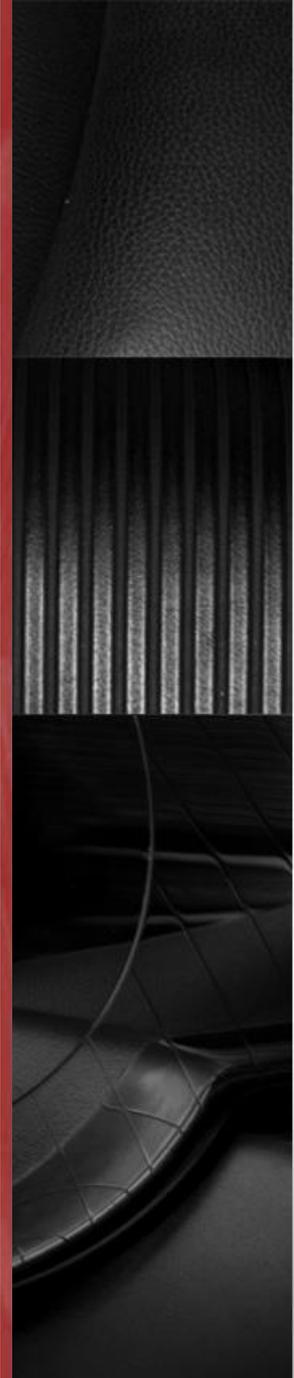


California's Brake Pad Proposed Regulations

October 2014

Department of Toxic Substances
Control



Brake Friction Material Law

2010
SB 346

2014
Cd, Cr VI, Hg, Pb,
Abestiform fibers
De Minimis

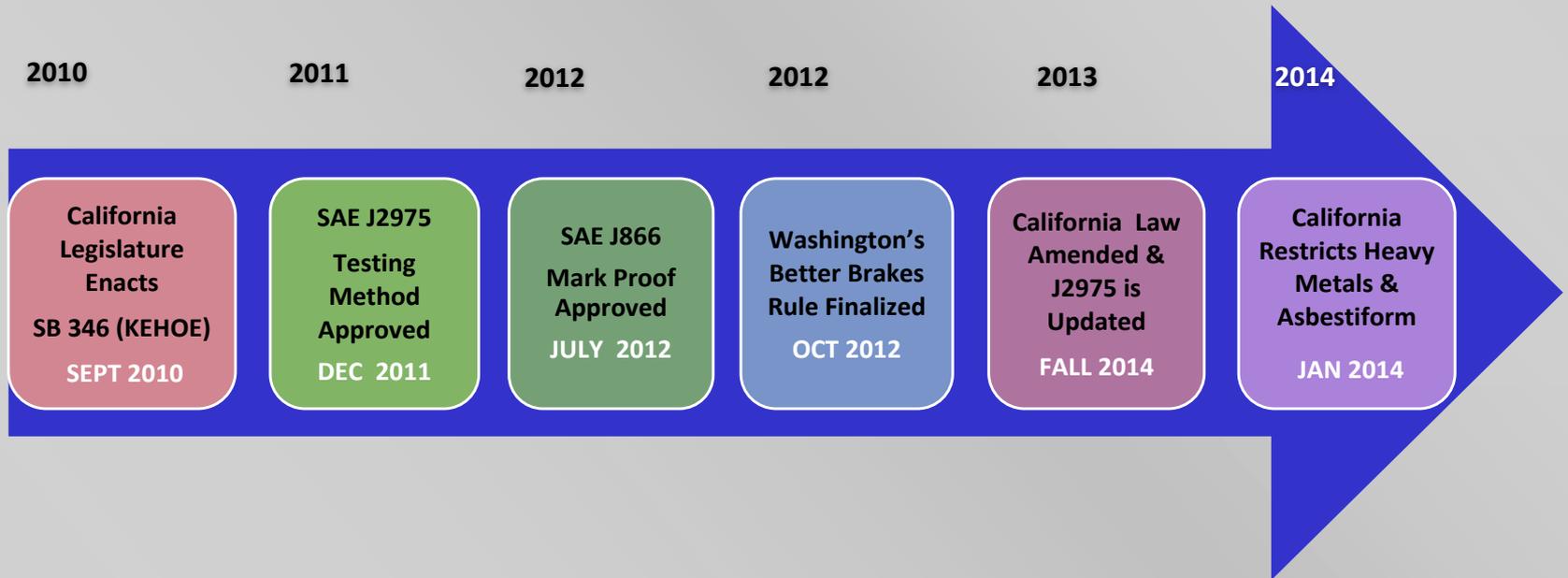
2021
Copper
5.0 wt %

2025
Copper
0.5 wt %

California



Timeline



- California begins informal rulemaking
 - June 2014
- Washington's law and regulations become effective
 - January 2015



Intent and Scope of Proposal

- Memorializing agreements made on testing, mark proof and certification
- Clarifying the process used by DTSC to determine test method equivalency and testing laboratory accreditation equivalency
- Providing more specific detail on the process for DTSC to approve the certification process used by the testing certification agency
- Providing more specific detail on the process to be used to accept requests for an extension requests submitted for the January 1, 2025 restriction



Proposed Brake Pad Regulations

- Definitions & References
- Self-Certification of Compliance
- Testing Certification Agency for Brake Friction Materials
- Certified Laboratories for Brake Friction Materials
- Testing Methodology for Brake Friction Materials (SAE J2975)
- Marked Proof of Certification (SAE J866)
- Extension Process

The Proposal does not include

- A provision to require a product label, such as the three leaf logo in Washington's Better Brakes Rule [**Will include in next revision*]



- Additional specificity for the alternatives screening requirement (Health and Safety Code (HSC) section 25250.56)
- Details on enforcement activities (HSC section 25250.62)
- Additional details for the 2023 report due to the Legislature (HSC section 25250.65)



Summary of Comments Received

- Different exemptions provided in the two laws
 - Sell-Through Timelines
 - Reciprocity Agreement between California and Washington
- Retroactive application of the regulations
- Not including the date of publication on SAE Standards
- Harmonization of the product marking and package labeling



Brake Friction Rulemaking Required Analyses To Be Conducted

- Initial Statement of Reasons
 - Purpose and necessity statements for each provision in the proposal
- Fiscal Impact, Economic Impact & Financial Impact
 - Marginal cost estimates of reformulated products
 - Impact on California businesses
 - Fiscal impact to state agencies & local governments
- California Environmental Quality Act (CEQA)
 - Analysis and public disclosure of environmental impacts of proposed projects



Tentative Schedule

- Public Notice the revised informal proposal
- Submit formal rulemaking package to Office of Administrative Law in December 2014
- Potential schedule challenges
 - Department of Finance review period (during Governor's Budget process and FI\$CAL implementation)
 - Holiday schedule



Questions or Comments?